

June 2, 2009

**VIA ELECTRONIC FILING**

Magistrate Judge Ramon E. Reyes, Jr.  
United States District Court  
Eastern District of New York  
United States Courthouse  
225 Cadman Plaza East, Room 263  
Brooklyn, NY 11201

Re: *Web Tracking Solutions, LLC and Daniel Wexler v. Google Inc.*, No. 1:08-cv-03139

Your Honor:

The parties submit this joint request for certain amendments to the schedule in the above-referenced case. These changes will assist in the orderly resolution of the case and avoid unnecessary discovery disputes. This is the second requested amendment to the December 2, 2008 scheduling order; the parties previously requested scheduling amendments in a joint letter submitted April 29, 2009.

The below chart summarizes the parties' requested revisions to the case schedule:

Event	Revised Deadline
Defendant to serve its "Preliminary Invalidity Contentions" and produce documents identified in Scheduling Order ¶ 5	June 22, 2009
Exchange proposed claim terms and phrases (First Scheduling Order ¶ 7)	July 1, 2009
Exchange preliminary proposed constructions (First Scheduling Order ¶ 8)	July 24, 2009

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Exchange disputed claim terms charts (First Scheduling Order ¶ 11)	September 1, 2009
Filing of <i>Markman</i> briefs (First Scheduling Order ¶ 12) and disclosure and exchange of <i>Markman</i> expert reports, affidavits, or declarations ( <i>id.</i> ¶ 13(a))	September 30, 2009
Completion of initial <i>Markman</i> expert depositions (First Scheduling Order ¶ 13(b))	October 21, 2009
Filing of responsive <i>Markman</i> briefs (First Scheduling Order ¶ 14) and disclosure and exchange of rebuttal <i>Markman</i> expert reports, affidavits, or declarations ( <i>id.</i> ¶ 13(c))	November 12, 2009
Completion of rebuttal <i>Markman</i> expert depositions (First Scheduling Order ¶ 13(d))	November 18, 2009
Filing with the Court of a Joint Disputed Claim Terms Chart (First Scheduling Order ¶ 14)	November 18, 2009

Attached hereto as Exhibit A is a draft order granting these requested changes.

The parties further request that certain hearing dates and related submissions be rescheduled. Subject to the convenience of the Court, the parties propose the following revised dates:

<b>Event</b>	<b>Revised Deadline</b>
Telephonic status conference (First Scheduling Order ¶ 10)	July 24, 2009
Joint status report (First Scheduling Order ¶ 17)	December 8, 2009
Joint status conference (First Scheduling Order ¶ 18)	December 16, 2009
Close of fact discovery (First Scheduling Order ¶ 18)	December 29, 2009
Final pre-trial conference	September 9, 2010

The parties are available to discuss these matters at Your Honor's convenience.

Respectfully submitted,

/s/ Steven M. Hayes

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